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**Oceans and the law of the sea**

# Oceans and the law of the sea

## Report of the Secretary-General**

**Addendum**

*Summary*

The present report, which covers the period from 1 September 2015 to 31 August 2016, is submitted pursuant to paragraph 324 of General Assembly resolution 70/235, in which the Assembly requested the Secretary-General to prepare a comprehensive report on developments and issues relating to ocean affairs and the law of the sea, including the implementation of that resolution, for consideration at its seventy-first session. It is also being submitted to States parties to the United Nations Convention on the Law of the Sea, pursuant to article 319 of the Convention. The present report highlights that the Convention, together with its implementing agreements, provides the legal framework within which all activities in the oceans and seas must be carried out, including the conservation and sustainable use of marine resources and marine biodiversity. It provides information on recent developments relating to oceans and the law of the sea, including maritime spaces; shipping activities; people at sea; maritime security; sustainable development of oceans and seas; oceans and climate change and ocean acidification; support to small island developing States and landlocked developing countries; capacity-building and international cooperation and coordination.

* A/71/150.

** The present report contains a summary of the most significant recent developments and selected parts of contributions by relevant agencies, programmes and bodies.

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# I. Introduction

1. During the reporting period, two instruments of significant importance for the oceans were adopted, namely, the post-2015 development agenda contained in General Assembly resolution 70/1, entitled "Transforming our world: the 2030 Agenda for Sustainable Development" and the Paris Agreement, adopted at the twenty-first session of the Conference of the Parties to the United Nations Framework Convention on Climate Change. The present report takes into account those developments, as well as the completion of the first global integrated marine assessment (see A/70/112, annex). The submission of the assessment to the General Assembly marks the first time that the Assembly has been provided with a comprehensive scientific and socioeconomic assessment to guide oceans-related decision-making by various stakeholders. The findings of the assessment are alarming and highlight that the world's oceans are facing major pressures having such great impacts that the limits of their carrying capacities are being (or, in some cases, have already been) reached. Delays in implementing solutions to the problems that have already been identified as threatening to degrade the world's oceans will lead, unnecessarily, to incurring greater environmental, social and economic costs. Overall, the assessment emphasizes the fact that urgent global action is needed to sustainably manage and use the oceans for the benefit of present and future generations.

2. During the reporting period, the oceans and seas received increased attention by the international community. Many more intergovernmental meetings on ocean issues were held at the United Nations in 2016 than in previous years. In addition, several States and other stakeholders decided to convene conferences or other international events on ocean issues.[1]

3. The present report also highlights activities, including the adoption of measures and the development of programmes, including those undertaken by the United Nations system and other intergovernmental organizations in relation to General Assembly resolution 70/235. Its purpose is to assist the General Assembly in its annual consideration and review of those and other developments. The report should be read in conjunction with: (a) the report of the Secretary-General on oceans and the law of the sea (A/71/74), which addresses the topic of focus of the seventeenth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea; (b) the report on the work of the Informal Consultative Process at its seventeenth meeting (A/71/204); (c) the reports of the resumed twenty-fifth and the twenty-sixth Meetings of States Parties to the United Nations Convention on the Law of the Sea (SPLOS/293 and SPLOS/303); (d) the report of the Secretary-General submitted to the resumed Review Conference on the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks in accordance with paragraph 41 of General Assembly resolution 69/109 to

[1] See, for example: Our Ocean Conference, Chile, www.nuestrooceano2015.gob.cl/en/conference/; Blue Week, 2016 and Investment Conference; www.bluegrowth.org/; Hamburg International Environmental Law Conference, http://hielc.org/; Oceans Meeting, www.oceansmeeting.pt/; Law of the Sea Conference, www.virginia.edu/colp/pdf/ny-program.pdf; International Symposium on Capacity-Building for Sustainable Oceans, http://oceansymposium.com/; and Our Ocean Conference, http://ourocean2016.org/#event.

assist it in discharging its mandate under article 36 (2) of the Agreement (A/CONF.210/2016/1); (e) the report of the resumed Review Conference on the Agreement (A/CONF.210/2016/5); (f) the report of the Secretary-General on the actions taken by States and regional fisheries management organizations and arrangements in response to paragraphs 113, 117 and 119 to 124 of General Assembly resolution 64/72 and paragraphs 121, 126, 129, 130 and 132 to 134 of General Assembly resolution 66/68 on sustainable fisheries, addressing the impacts of bottom fishing on vulnerable marine ecosystems and the long-term sustainability of deep-sea fish stocks (A/71/351); (g) the summary by the moderator of the discussions of the workshop held to discuss the implementation of paragraphs 113, 117 and 119 to 124 of General Assembly resolution 64/72 and paragraphs 121, 126, 129, 130 and 132 to 134 of General Assembly resolution 66/68 on sustainable fisheries, addressing the impacts of bottom fishing on vulnerable marine ecosystems and the long-term sustainability of deep-sea fish stocks (A/71/377); (h) the report of the Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects, on its seventh meeting (A/71/362); and other relevant documents, such as the statements by the Chair of the Commission on the Limits of the Continental Shelf on the progress of work in the Commission (CLCS/90, CLCS/91, CLCS/93 and CLCS/95).

4. The report should also be read in conjunction with the more detailed contributions provided by the United Nations specialized agencies, programmes and bodies, as well as other intergovernmental organizations,[2] for which the Secretary-General expresses his gratitude.

## II. Status of the United Nations Convention on the Law of the Sea and its implementing agreements, work of the bodies established under the Convention and peaceful settlement of disputes

5. During the reporting period, States reaffirmed on many occasions the role of the United Nations Convention on the Law of the Sea as the legal framework within which all activities in the oceans and seas must be carried out.[3]

6. In a step towards the fulfilment of the goal of universal participation, the number of parties to the Convention and its implementing agreements continued to increase. As at 31 August 2016, there were 168 parties to the Convention, 149 parties to the 1994 Agreement relating to the Implementation of Part XI of the Convention and 83 parties to the 1995 Agreement for the Implementation of the Provisions of the Convention relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks.

[2] All contributions are available from www.un.org/Depts/los/general_assembly/contributions70.htm.

[3] See, for example, Sustainable Development Goal 14. See also the statements made at the twenty-sixth Meeting of States Parties (SPLOS/303).

## A. Work of the bodies established under the Convention

### International Seabed Authority

7. At the twenty-sixth Meeting of States Parties to the United Nations Convention on the Law of the Sea, States commended the continuing work of the International Seabed Authority with respect to the development of a regulatory framework for the exploitation of the mineral resources of the Area and the decision of the Authority to conduct a general and systematic review of the manner in which the international regime of the Area established under the Convention has operated in practice, pursuant to article 154 of the Convention, and the work carried out thus far in that regard (see SPLOS/303, sect. V).

8. At its twenty-second session, the Assembly of the Authority took note of the interim report of the first periodic review of the international regime of the Area pursuant to article 154 of the Convention and requested the Secretary-General of the Authority to transmit the draft final report to States parties and observers before 15 April 2017.[4]

### International Tribunal for the Law of the Sea

9. During the reporting period, the International Tribunal for the Law of the Sea held its thirty-ninth and fortieth sessions, which were devoted to legal, organizational and administrative matters and the judicial work of the Tribunal. The Tribunal continued to deliver its internship and fellowship programmes and its capacity-building and training programme on dispute settlement under the Convention.[5] The twentieth anniversary of the Tribunal is being commemorated in 2016.

### Commission on the Limits of the Continental Shelf

10. During the reporting period, the Commission on the Limits of the Continental Shelf held its thirty-eighth, thirty-ninth, fortieth and forty-first sessions (see CLCS/90, CLCS/91, CLCS/93 and CLCS/95) and adopted four sets of recommendations, bringing the total number of recommendations to 26, as at 31 August 2016.

11. The workload of the Commission remained very heavy, but given that no new or revised submissions had been received since the submission of the previous report (A/70/74/Add.1),[6] the backlog of submissions has begun to decrease for the first time.[7] Given that the bulk of those submissions were received in the second quarter of 2009, the time frame between the receipt of a submission and the establishment of a subcommission to consider it continued to increase and has surpassed seven years. This poses growing challenges for submitting States, which have to maintain the required data, software and expertise.

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[4] ISBA/22/A/11. For other developments, for example, membership in the organs of the Authority, see ISBA/22/A/12, ISBA/22/A/14 and ISBA/22/C/29.

[5] International Tribunal for the Law of the Sea contribution and SPLOS/294 and SPLOS/303.

[6] The total number of submissions received as at 31 August 2016 stands at 81, including four revised submissions. See www.un.org/depts/los/clcs_new/commission_submissions.htm.

[7] As at 31 August 2016, the number of submissions not yet under active consideration by the Commission stood at 42.

12. Another matter that continues to be of concern for the Commission and States parties is the fact that the Commission has been functioning with only 20 members since January 2015. There is a grave risk that the Commission's work may be brought to a halt in 2017 because of the lack of sustainable funding to support the participation, including medical insurance coverage, of the members of the Commission from developing States (see para. 132 below).

**Meeting of States Parties to the Convention**

13. The twenty-sixth Meeting of States Parties to the Convention was held from 20 to 24 June 2016 (see SPLOS/303). In addition to considering the annual report of the Tribunal for 2015, as well as information reported by the Authority and the Commission, the Meeting approved the budget of the Tribunal for the biennium 2017-2018 (see ibid. and SPLOS/301). It also continued discussing the conditions of service of members of the Commission and renewed its request, first made in 2012, that the Commission and its subcommissions meet in New York for up to 26 weeks per year, but not less than an intended minimum of 21 weeks per year, for a period of five years, beginning on 16 June 2017 (see SPLOS/303, para. 84).

14. Prior to that meeting, the resumed twenty-fifth Meeting, held on 15 January 2016, had elected Antonio Cachapuz de Medeiros (Brazil) as a member of the Tribunal (see SPLOS/293, paras. 10-13).

15. Owing to a lack of nominations, neither the resumed twenty-fifth Meeting nor the twenty-sixth Meeting was in a position to fill the vacancy that had arisen in the Commission.

## B. Peaceful settlement of disputes

16. During the reporting period, States parties continued to settle their disputes concerning the interpretation or application of the Convention in accordance with the Charter of the United Nations and Part XV of the Convention.

17. With regard to mechanisms for third-party settlement of disputes, during the period under review, several States parties availed themselves of the procedures available under Part XV of the Convention, including, for the first time since the entry into force of the Convention, the institution of conciliation proceedings under annex V to the Convention. Cases concerning maritime boundary delimitations and other law of the sea-related matters remain under consideration by the Tribunal, the International Court of Justice, as well as arbitral tribunals constituted pursuant to annex VII to the Convention. Also during the period under review, an arbitral tribunal issued its final award on the merits of a case.[8]

# III. Maritime spaces

18. Under the Convention, the Secretary-General is entrusted with depository and due publicity functions relating to the limits of maritime zones in which coastal States exercise sovereignty or sovereign rights and jurisdiction. To that end, the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs, as

[8] For more details, see www.itlos.org/; www.icj-cij.org/; https://pca-cpa.org/.

mandated by the General Assembly, maintains facilities for the deposit by States of charts and geographical coordinates concerning maritime zones, including lines of delimitation, and gives due publicity thereto, including through Maritime Zone Notifications, the Law of the Sea Bulletin and the website of the Division. The Division continues to be engaged in the development of the International Hydrographic Organization standard on product specifications with regard to data on maritime limits and boundaries and the development of the associated geoportal.

19. During the reporting period, a number of States deposited, pursuant to the Convention, charts or lists of geographical coordinates of points with the Secretary-General, including a deposit of information concerning the limits of the continental shelf beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured. In recent years, an increasing number of States have made deposits, including a number of small island developing States. That trend may reflect the fact that States that depend on the use of the oceans and their resources are increasingly becoming aware of the need to establish clear limits for areas within national jurisdiction, as a prerequisite for the sustainable development of their maritime zones. Many coastal States, however, have yet to fully meet their deposit and due-publicity obligations. In particular, a very limited number of deposits have been made of charts and relevant information, including geodetic data, permanently describing the outer limits of the continental shelf beyond 200 nautical miles, as compared with the number of recommendations made by the Commission.[9]

## IV. Developments relating to international shipping activities

20. Maritime transport continued to be critical to international trade and the global economy. Nearly 80 per cent of global trade by volume was carried by sea in 2014. In terms of value, seaborne trade handled by ports worldwide was estimated at 55 per cent of global merchandise trade,[10] which increased by only 2.3 per cent in 2014, down from 2.6 per cent in 2013 and below pre-crisis levels.[11] Global seaborne shipments were estimated to have increased by 3.4 per cent in 2014, the same rate as in 2013.[12] The world fleet grew by only 3.5 per cent in 2014, which is the slowest annual growth rate in more than a decade.[13]

21. Maritime shipping provides important socioeconomic benefits by allowing for worldwide access to goods and services (see A/70/74, section III.A.1). In both developed and developing countries, shipping, ports and related auxiliary services play a crucial role in supporting activities for wealth creation and poverty alleviation. Shipping thus contributes to the achievement of several of the Sustainable Development Goals contained in the 2030 Agenda for Sustainable Development, including through contributing to poverty eradication, reducing inequality, increasing employment opportunities and promoting sustainable growth.

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[9] The Commission has adopted 26 recommendations since 2002; only six deposits pursuant to article 76, paragraph 9, of the Convention have been made.

[10] United Nations Conference on Trade and Development (UNCTAD) contribution.

[11] *Review of Maritime Transport 2015* (UNCTAD/RMT/2015) (United Nations publication, Sales No. E. 15.II.D.6).

[12] Ibid.

[13] Ibid.

22. The present section sets out recent developments with regard to ensuring safety at sea and in navigation and should be read together with sections V and VI below. During the reporting period, the International Maritime Organization (IMO) continued to develop and adopt a series of significant regulations, including amendments to the International Convention for the Safety of Life at Sea, 1974, to improve the regulations contained therein relating to survival craft safety, which are expected to enter into force by 1 January 2020.[14] IMO also approved draft amendments to the Convention relating to the survivability of passenger ships.[15]

23. Following the adoption of the International Code for Ships Operating in Polar Waters, IMO approved proposed amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, and the related Code, which include new mandatory minimum requirements for the training and qualifications of masters and deck officers on ships operating in polar waters, with a view to adoption in the fourth quarter of 2016.[16]

24. IMO also approved the principles and scope for the review of the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel.[17]

25. In addition, a number of new and amended ship routeing systems were adopted by IMO, including new traffic separation schemes.[18]

26. In January 2016, amendments to seven instruments concluded under the auspices of IMO entered into force, allowing for the auditing of parties to those instruments through the Voluntary International Maritime Organization Member State Audit Scheme. The Audit Scheme is intended to provide an audited IMO member State with a comprehensive and objective assessment of how effectively it administers and implements the mandatory IMO instruments covered by the Audit Scheme.[19] In 2016, audits were scheduled for 19 States under the Audit Scheme.[20]

27. The World Meteorological Organization, in partnership with IMO and the International Hydrographic Organization, has continued to provide marine safety information services in the context of the World Wide Met-Ocean Information and Warnings Service and the Global Maritime Distress and Safety System. A full review of the manuals and guides that provide the standards, recommended practices and guidance for services in the marine sector is under way.

[14] International Maritime Organization (IMO), document MSC 96/25, annex 1, resolution MSC.402(96). Available from www.iadc.org/wp-content/uploads/2016/07/MSC-96-25-Report-Of-The-Maritime-Safety-Committee-On-Its-Ninety-Sixth-Session-Secretariat.pdf.

[15] Ibid., annex 16.

[16] IMO document MSC 96/25, annexes 8, 9 and 10.

[17] IMO documents MSC 96/25, para. 12.3; and HTW 3/19, para. 6.11 and annex 3. Available from www.imla.co/sites/default/files/htw_3.pdf.

[18] IMO documents MSC 96/25, paras. 14.3 and 14.4; COLREG.2/Circ.67; and SN.1/Circ.333.

[19] See www.imo.org/en/OurWork/MSAS/Pages/AuditScheme.aspx.

[20] IMO documents C 116/6 and C 116/WP.1.

# V. People at sea

28. Previous reports of the Secretary-General have raised awareness about the need to protect people at sea, including seafarers, maritime workers, and migrants (see A/70/74/Add.1).

**Unsafe mixed migration by sea**

29. Unsafe movements of people by sea remain an area of great concern. The oceans have become a place of human suffering as a result of the dramatic increase in unsafe mixed migration by sea, and there is a need for urgent action to prevent loss of life at sea. According to the Office of the United Nations High Commissioner for Refugees, in the first six months of 2016, approximately 250,450 refugees and migrants made the dangerous crossing from North Africa and Turkey to Europe. More than 3,000 people died or were reported missing. Of those travelling to Europe by sea, some 159,990 arrived in Greece via the Aegean Sea. Nearly 88,990 persons arrived in Italy, mostly by way of the Central Mediterranean route from Libya. Approximately 69 per cent of those persons arriving by sea in Europe were nationals of the 10 countries from which the most significant number of refugees originate.[21] Those travelling from Turkey to Greece, in particular, were from the Syrian Arab Republic (48 per cent), Afghanistan (25 per cent) and Iraq (15 per cent). In other regions, approximately 33,600 refugees and migrants travelled by sea through South-East Asia in 2015. The great majority of them were members of the Rohingya community or nationals of Bangladesh. Most of those refugees, approximately 31,000, departed from the Bay of Bengal in the first half of 2015. The ongoing conflict in Yemen notwithstanding, by mid-2016 almost 64,170 persons, mainly Ethiopians and Somalis, travelled across the Red Sea, the Arabian Sea and the Gulf of Aden to Yemen in 2016. In the first half of 2016, the Office recorded 193 maritime incidents in the Caribbean region, involving more than 2,850 persons, with 1 reported death and 26 persons reported missing. Those incidents principally involved Cuban (51 per cent), Haitian (35 per cent) and Dominican (6 per cent) nationals.

30. In addition to the dangers of travelling by sea, including aboard unseaworthy vessels, persons using such means are vulnerable to transnational organized crime networks, which profit from migrant smuggling and human trafficking (see also sect. VI below).

**Initiatives to address unsafe mixed migration by sea**

31. In its annual resolution on oceans and law of the sea, the General Assembly has continued to provide policy guidance on the issue of migration by sea. In its resolution 70/235 of 23 December 2015, the Assembly noted with grave concern the recent proliferation of, and endangerment of lives through, the smuggling of migrants by sea and underscored the necessity to address such situations in accordance with applicable international law. The Assembly recognized that all States must fulfil their search and rescue responsibilities in accordance with international law, including the Convention, in particular its article 98 on the duty to render assistance, reaffirmed the ongoing need for IMO and other relevant organizations to assist States to increase and improve their search and rescue

[21] Office of the United Nations High Commissioner for Refugees contribution.

capabilities, including as appropriate through the establishment of additional rescue coordination centres and regional sub-centres, and to take effective action to address, to the extent feasible, the issue of unseaworthy ships and small craft within their national jurisdiction.

32. In the 2030 Agenda for Sustainable Development, which contains a people-centred set of universal and transformative Sustainable Development Goals and targets, States committed to cooperating internationally to ensure the safe, orderly and regular migration and the full respect of human rights and the humane treatment of migrants, regardless of migration status, of refugees and of displaced persons. A high-level meeting of the General Assembly on addressing large movements of refugees and migrants is scheduled to be held on 19 September 2016. In the report of the Secretary-General entitled "In safety and dignity: addressing large movements of refugees and migrants" (A/70/59), which was issued in preparation for the meeting, attention was drawn to the perilous and circuitous journeys by sea undertaken by refugees and migrants in the absence of sufficient safe, orderly and regular pathways. The need to uphold international law, including the duty to render assistance, as provided for in article 98 of the Convention, was highlighted. It is noted in the report that, although national coastguard operations have saved thousands of lives, inadequate and deficient search and rescue programmes, including rescue at sea and disembarkation protocols, can put both rescuers and those rescued at risk.

33. In the report, it was noted that large movements of people will continue or possibly increase in number as a result of violent conflict, poverty, inequality, climate change, disasters and environmental degradation. Given that hazards relating to climate change and environmental degradation will increase in frequency and intensity, sea level rise and extreme weather events may drive people away from coastal areas and low-lying small island States. In October 2015, a high-level dialogue on climate-induced migration took place in Kiribati to discuss threats to Pacific atoll nations from climate change, such as sea level rise. In the outcome document, the atoll nations emphasized that relocation was a response of last resort.

**Maritime labour**

34. Efforts have been made to improve the treatment of workers in the maritime sector, but more action is required to protect the lives of seafarers and fishermen from, for example, acts of piracy and armed robbery at sea (see sect. VI).

35. It is estimated that as many as 24,000 lives are lost annually in the fishing sector worldwide.[22] The IMO Assembly has called upon States to accept the Cape Town Agreement of 2012 on the Implementation of the Provisions of the Torremolinos Protocol of 1993 relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977, in order to bring it into force and address the alarmingly high numbers of fishermen's lives lost and of fishing vessels lost every year.[23] Its entry into force would moreover have a positive impact on safety in the sector as a whole, given that flag and port State administrations would be required to develop legal and administrative frameworks, as well as processes, for the implementation of provisions relating to survey and certification, casualty investigation and port State control.

[22] IMO contribution.
[23] IMO contribution.

# VI. Maritime security

36. The ability of States to maximize benefits from the oceans and seas and develop a sustainable ocean-based economy depends on maintaining and enhancing the security of maritime spaces. The General Assembly identified a number of threats to maritime security in its annual resolutions on oceans and the law of the sea, including its resolution 70/235 (see also A/63/63; and A/70/74/Add.1, para. 43).

37. In April 2016, the ministers for foreign affairs of member States of the Group of Seven reaffirmed their commitment to further international cooperation on maritime security and safety, on the basis of the universally recognized principles of international law, including those reflected in the Convention, and firmly condemned piracy and armed robbery at sea, transnational organized crime and terrorism in the maritime domain, trafficking in persons, the smuggling of migrants, illegal, unreported and unregulated fishing and other maritime activities that threaten global stability, security and prosperity.[24]

38. An extraordinary summit of the African Union on maritime security and safety and development in Africa will be held in Lomé on 15 October 2016 in order to establish a road map on maritime security in Africa, put into place an African strategy for the protection of its seas and oceans, provide peace, security and stability and make African maritime space the key driver for sustainable economic development.[25]

## Piracy and armed robbery at sea

39. The decline of incidents of piracy and armed robbery against ships worldwide over the past few years notwithstanding, such crimes continue to constitute serious threats to maritime security in some regions of the world, including by threatening the lives and livelihood of seafarers. In 2015, the number of acts of piracy and armed robbery against ships reported to IMO was 303, a 4 per cent increase from the 291 incidents reported in 2014.[26]

40. Violence continues to be associated with such attacks. In the first half of 2016, the International Maritime Bureau recorded 72 vessels boarded, five hijackings and 12 attempted attacks. Nine ships were fired upon. Sixty-four crew members were taken hostage, down from 250 in the same period in 2015.[27]

### Off the coast of Somalia

41. The number of incidents of piracy and armed robbery at sea off the coast of Somalia has fallen to the lowest it has been since 1995, with only one incident recorded in the past six months. As at 30 June 2016, however, suspected Somali

[24] See www.japan.go.jp/g7/_userdata/common/data/000147444.pdf.

[25] See www.african-union-togo2015.com/en/accueil.

[26] IMO document MSC.4/Circ.232. Available from www.imo.org/en/OurWork/Security/SecDocs/Documents/PiracyReports/232_Annual_2015.pdf.

[27] International Maritime Bureau of the International Chamber of Commerce Piracy and Armed Robbery Against Ships Report, Second Quarter, 2016.

pirates continue to hold 29 seafarers hostage.[28] At its nineteenth plenary session, held from 31 May to 3 June 2016, the Contact Group on Piracy off the Coast of Somalia recognized that sustained efforts in the region by the international community had suppressed piracy there and decided to gradually transition the balance of counter-piracy efforts to Somalia and the States and organizations of the Indian Ocean region.[29] Given that piracy had not yet been fully eradicated and that incidents of it could still occur, the Contact Group also decided to continue its monitoring activities.[30]

**West Africa**

42. Incidents of piracy and armed robbery in the Gulf of Guinea continued to occur at an alarming rate, with 31 incidents occurring over the first six months of 2016 alone. The International Maritime Bureau noted the possibility of the underreporting of incidents occurring in the region. Serious concerns remain about the rise in cases of kidnapping for ransom off the coast of West Africa, where the lower price of oil has driven pirates to switch their attention from stealing oil cargoes to taking the crew hostage for ransom. Of the 44 kidnappings of seafarers in the first half of 2016, 24 occurred in West Africa.[27]

43. The statement by the President of the Security Council of 25 April 2016 (S/PRST/2016/4) indicated that the Council remained deeply concerned about the threat that piracy and armed robbery at sea in the Gulf of Guinea posed to international navigation, the security and economic development of States in the region, the safety and welfare of seafarers and other persons, as well as the safety of commercial maritime routes. It strongly condemned acts of murder, kidnapping, hostage-taking and robbery by pirates in the Gulf of Guinea and underlined the importance of determining any links between piracy and armed robbery at sea and terrorist groups in West Africa and the Sahel region. The Council encouraged regional organizations, including the African Union, the Economic Community of Central African States, the Economic Community of West African States and the Gulf of Guinea Commission, to enhance cooperation on maritime safety and security and called upon States in the region to criminalize piracy and armed robbery at sea under their domestic laws.

**Asia**

44. The number of incidents of piracy and armed robbery at sea in Asia decreased during the reporting period, with the largest decrease occurring during the first half of 2016, compared with the same period in the past four years. A total of 41 incidents, comprising 40 actual incidents and one attempted incident, were reported from January to June 2016, compared with 114 incidents during the same period in 2015.[31] Two incidents involving the hijacking of tankers for oil cargo theft were

[28] See International Maritime Bureau of the International Chamber of Commerce, Piracy and armed robbery against ships: report for the period of 1 January to 30 June 2016, p. 16. Available from www.icc.se/wp-content/uploads/2016/07/2016-Q2-IMB-Piracy-Report-Abridged.pdf.

[29] See www.lessonsfrompiracy.net/files/2016/07/Communique-of-the-19th-Plenary-of-the-CGPCS.pdf.

[30] Ibid.

[31] Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia, the Information Sharing Centre Half Yearly Report, Piracy and Armed Robbery against Ships in Asia, January to June 2016.

reported from January to June 2016, compared with 10 such incidents during the same period in 2015.[32]

## VII. Sustainable development of oceans and seas

45. A sustainable ocean-based economy is an important foundation for the achievement of the economic and social development aspirations of States, which also ensures environmental protection. Full implementation of the Convention, its implementing agreements and other related legal instruments can provide all States with the opportunity to maximize the benefits derived from the oceans and seas. The Convention sets out the rights and obligations of States to facilitate international communication and promote peaceful uses of the seas and oceans, the equitable and efficient use of their resources, the conservation of their living resources and the study, protection and preservation of the marine environment. In doing so, it aims at promoting the economic and social advancement of all peoples of the world. It also takes into account the interests and needs of mankind as a whole and, in particular, the special interests and needs of developing countries, whether coastal or landlocked (see A/70/74).

46. During the reporting period, a number of initiatives have focused on promoting a "blue economy", including a Blue Week 2016 and Investment Conference held in Grenada in May 2016.[33] The African Union Agenda 2063, adopted in September 2015,[34] specifically mentions the blue economy as being a key part of Africa's sustainable and equitable development. In 2016, the Economic Commission for Africa issued the publication *Africa's blue economy: a policy handbook* to better mainstream the blue economy into national development plans, strategies, policies and laws.[35] Other recent resources to guide States and other stakeholders include the report entitled "Blue economy for business in East Asia: towards an integrated understanding of blue economy", prepared by Partnerships in Environmental Management for the Seas of East Asia.[36]

47. In a recent study, the Organization for Economic Cooperation and Development (OECD) indicated that, by 2030, many ocean-based industries will have the potential to outperform the global economy as a whole with regard to growth, both in terms of value added and employment.[37] The projections suggest that between 2010 and 2030, on the basis of a business-as-usual scenario, the ocean economy could more than double its contribution to global value added, reaching more than $3 trillion. Particularly strong growth is expected in marine aquaculture, offshore wind energy, fish processing and shipbuilding and ship repair. Ocean industries also have the potential to make an important contribution to employment growth. In 2030, they are anticipated to contribute approximately 40 million full-time equivalent jobs in the business-as-usual scenario. The fastest growth in the

[32] Ibid., pp. 20-23.
[33] See www.bluegrowth.org.
[34] See http://agenda2063.au.int.
[35] See www.uneca.org/publications/africas-blue-economy-policy-handbook#.
[36] See www.pemsea.org/publications/reports/blue-economy-business-east-asia-towards-integrated-understanding-blue-economy.
[37] OECD (2016), *The Ocean Economy in 2030*, executive summary. Available from www.oecd.org/futures/oceaneconomy.htm.

number of jobs is expected in offshore wind energy, marine aquaculture, fish processing and port activities.

48. With regard to offshore wind energy, according to recent statistics, energy capacities have expanded six-fold over the past six years and have expanded significantly in Asia, in particular in China, and also in Europe, in particular in Belgium, Germany and the United Kingdom of Great Britain and Northern Ireland, with many countries introducing offshore wind energy.[38] For other marine renewables, including tide, wave and ocean energy, capacities have doubled over the past six years and have expanded significantly in Asia, in particular in the Republic of Korea, with many countries exploring various marine renewable possibilities.[39]

49. Whereas the oceans have the potential to enhance economic growth and social development, an important constraint on the development of the ocean economy is the current deterioration of its health,[37] as underlined in the first global integrated marine assessment (see para. 1 above). In the coming decades, scientific and technological advances will continue to play a crucial role not only in the further development of ocean-based economic activities, but also in addressing many ocean-related environmental challenges.[37]

## A. Oceans and the 2030 Agenda for Sustainable Development

50. The important role of oceans and seas in achieving sustainable development is widely recognized in a number of important policy instruments, including chapter 17 of Agenda 21, the Plan of Implementation of the World Summit on Sustainable Development, the outcome document of the United Nations Conference on Sustainable Development, entitled "The future we want", and the SIDS Accelerated Modalities of Action (SAMOA) Pathway. The commitments contained in those instruments were further strengthened and built upon in the 2030 Agenda for Sustainable Development and the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, which is contained in General Assembly resolution 69/313 (see also A/70/74/Add.1). Another significant development was the adoption of the Paris Agreement under the United Nations Framework Convention on Climate Change (see sect. VIII below).

51. The 2030 Agenda for Sustainable Development contains 17 Sustainable Development Goals. Goal 14 is to conserve and sustainably use the oceans, seas and marine resources for sustainable development and includes 10 specific targets, with 3 on means of implementation. Among the latter is target 14.c on enhancing the conservation and sustainable use of oceans and their resources by implementing international law as reflected in the Convention, which provides the legal framework for the conservation and sustainable use of oceans and their resources.

52. Implementation of the Convention can also contribute to the achievement of many of the other Sustainable Development Goals contained in the 2030 Agenda for Sustainable Development. The Addis Ababa Action Agenda, which provides a global framework for financing development post-2015, stresses the importance of the conservation and sustainable use of the oceans, seas and their resources for sustainable development, including through their contribution to poverty

[38] International Renewable Energy Agency, *Renewable capacity statistics 2016* (2016).
[39] Ibid.

eradication, sustained economic growth, food security and the creation of sustainable livelihoods and decent work, while at the same time protecting the biodiversity of the marine environment and addressing the impacts of climate change.

53. In paragraphs 64 and 65 of General Assembly resolution 69/313, which contains the Addis Ababa Action Agenda, States committed to protecting and restoring the health, productivity and resilience of oceans and marine ecosystems and maintaining their biodiversity for present and future generations, as well as to effectively apply an ecosystem approach and the precautionary approach in the management, in accordance with international law, of activities impacting the marine environment. States acknowledged the impacts of climate change on oceans, such as sea level rise and ocean acidification, and committed to enhancing support to the most vulnerable, including small island developing States, in addressing and adapting to those challenges.

54. The 2030 Agenda for Sustainable Development provides for follow-up and review processes at the national, regional and global level. The high-level political forum on sustainable development, convened under the auspices of the General Assembly and the Economic and Social Council, is mandated to play the central role in overseeing follow-up and review processes at the global level. The first progress report to inform the follow-up and review processes in the context of the high-level political forum, including with regard to Goal 14, was issued during the reporting period (see E/2016/75, paras. 95-99).

55. A number of initiatives to support the implementation of Sustainable Development Goal 14 were undertaken during the period under review. Notably, in its resolution 70/226, the General Assembly decided to convene the high-level United Nations Conference to Support the Implementation of Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development in Fiji from 5 to 9 June 2017.[40] The Assembly recognized the role of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea and the important contribution of all relevant specialized agencies, funds and programmes of the United Nations in the implementation of Goal 14.

56. At its seventeenth meeting, the Informal Consultative Process focused its discussions on marine debris, plastics and microplastics and the relevance of that topic to the implementation of Sustainable Development Goal 14 and target 14.1 on preventing and significantly reducing marine pollution of all kinds, including marine debris. It was suggested that the Informal Consultative Process could be an appropriate forum for the regular review of the implementation of Goal 14 and other ocean-related Goals and that such a role would not impinge upon the central role of the high-level political forum on sustainable development with regard to follow up and review of the implementation of the 2030 Agenda for Sustainable Development (see A/71/204, para. 84).

57. The United Nations system has committed to contributing to the implementation of the 2030 Agenda for Sustainable Development, including Sustainable Development Goal 14, including within the context of UN-Oceans (see sect. X below). Specialized agencies, funds and programmes supported the

[40] Department of Economic and Social Affairs contribution.

development of indicators to assess the implementation of the targets. For example, the United Nations Environment Programme (UNEP) Regional Seas Strategic Directions 2017-2020 aim at connecting regional seas conventions and action plans with the global processes, including the 2030 Agenda.[41]

## B. Supporting the sustainable development of small island developing States and landlocked developing countries

58. The 2030 Agenda for Sustainable Development has underscored that small island developing States and landlocked developing countries, as vulnerable countries, face special challenges to the achievement of sustainable development. A number of Sustainable Development Goals and various targets are dedicated to supporting small island developing States and landlocked developing countries in that regard, such as targets 9.a, 10.b and 14.7.

### Small island developing States

59. Building on the SAMOA Pathway, the 2030 Agenda for Sustainable Development called for paying special attention to small island developing States, given that their unique vulnerabilities affect their sustainable development. Small island developing States have strong historical, cultural and economic ties to the oceans and seas. Given their high dependency on the oceans and seas for the livelihoods of their people, they also face unique challenges, such as vulnerability to the impacts of human activities on the oceans, especially from climate change and sea level rise, or challenges relating to capacity needs in order to derive benefits from the oceans and to the implementation of existing international instruments.[42]

60. In the SAMOA Pathway, in which oceans and seas feature prominently, partnerships were recognized as an effective means of implementation in pursuing the sustainable development of small island developing States. The General Assembly, by its resolution 70/202, established the Small Island Developing States Partnership Framework to monitor and ensure the full implementation of pledges and commitments through partnerships for small island developing States and to encourage new, genuine and durable partnerships for the sustainable development of those States.[43]

61. A number of follow-up activities to the third International Conference on Small Island Developing States have taken place, including the delivery of a training programme on marine scientific research by the Division for Ocean Affairs and the Law of the Sea, in collaboration with the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization (UNESCO) (see A/70/269 and para. 130 below). The Ministerial Meeting on Food Security and Climate Adaptation in Small Island Developing States, held in Milan, Italy, from 14 to 16 October 2015, offered small island developing States an opportunity to explore the implementation of the SAMOA Pathway as it relates to food security and nutrition and climate change adaptation. The meeting considered the importance of promoting and strengthening sustainable

[41] UNEP document UNEP/WBRS.17/8, adopted at the seventeenth Global Meeting of the Regional Seas Conventions and Action Plans, held in Istanbul, Turkey, from 20 to 22 October 2015.

[42] Department of Economic and Social Affairs contribution.

[43] Ibid.

approaches to fisheries.[44] In the outcome document, the Milan Declaration on Enhancing Food Security and Climate Adaptation in Small Island Developing States, in the framework of the SAMOA Pathway, participants called for actions to address ocean acidification through scientific cooperation, combat illegal, unreported and unregulated fishing, prevent and significantly reduce marine pollution of all kinds, sustainably manage and protect coastal ecosystems and achieve healthy and productive oceans.[45] With the view to increasing the resilience of small island developing States to extreme weather events and other adverse impacts of climate change, the World Meteorological Congress approved the establishment of the Programme for World Meteorological Organization Small Island Developing States and Member Island Territories.[46]

**Landlocked developing countries**

62. Long distances from seaports, combined with poorly developed transit and transport systems, as well as continued reliance on neighbouring transit countries for transit access to the sea, often translate into high trade costs for landlocked developing countries and geographically disadvantaged countries. Most landlocked developing countries also fall into the category of least developed countries.

63. A number of meetings have taken place during the reporting period to consider and address the development needs of landlocked developing countries and review progress in the implementation of existing frameworks. The Comprehensive High-level Midterm Review of the Implementation of the Istanbul Programme of Action for the Least Developed Countries for the Decade 2011-2020 was held in Antalya, Turkey, from 27 to 29 May 2016[47] and, through a political declaration, reaffirmed the global commitment to address the special needs of the least developed countries, through the full, effective and timely implementation of the Programme of Action (see General Assembly resolution 70/294, annex).

64. The potential benefits for and implications of becoming parties to international conventions relating to the facilitation of transport and trade, including the Convention, were highlighted at a seminar organized by the Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States, the Economic Commission for Europe and the International Road Transport Union in May 2016.[48] The importance of becoming parties to and implementing the World Trade Organization Trade Facilitation Agreement was underlined by ministers of trade of landlocked developing countries in June 2016.[49]

## C. Developing marine science and scientific information in support of decision-making

65. Improving knowledge in the field of marine science, through sustained research efforts, evaluating monitoring results and applying such knowledge to

[44] See https://sustainabledevelopment.un.org/content/documents/8537MilanDeclaration.pdf.
[45] Ibid., para. 13.
[46] World Meteorological Organization resolution 54 (Cg-17).
[47] See http://unohrlls.org/midterm-review-ipoa/.
[48] See http://unohrlls.org/seminar-importance-key-trade-transport-conventions.
[49] See http://unohrlls.org/news/22-june-2016-ministerial-meeting-landlocked-developing-countries.

management and decision-making, contributes to the eradication of poverty, the improvement of food security, the conservation of the world's marine environment and resources, the understanding and prediction of and the response to natural events and the promotion of the sustainable development of the oceans and seas (see General Assembly resolution 70/235). Part XIII of the Convention, on marine scientific research, recognizes that science is a critical foundation of knowledge about the marine environment. International cooperation and coordination are critical components of that framework.

66. The importance of science is also reflected in Sustainable Development Goal target 14.a, in which States committed to increasing scientific knowledge, developing research capacity and transferring marine technology in order to improve ocean health and to enhance the contribution of marine biodiversity to the development of developing countries, in particular small island developing States and least developed countries.

67. At the high-level political forum on sustainable development session held in 2016, States emphasized the importance of the collection, analysis and dissemination of timely and robust data for monitoring the implementation of the 2030 Agenda for Sustainable Development.[50] States called for more transparent and accessible data tracking[51] and stronger data and statistical institutions at the State level, including through capacity-building and technology transfer.[52] Those calls are equally relevant with regard to marine data and information.

**Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects**

68. The Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects and the assessments produced thereunder, including the first global integrated marine assessment, can support the implementation of the 2030 Agenda for Sustainable Development and ocean-related processes. In its resolution 70/235, the General Assembly welcomed with appreciation the assessment and approved its summary, recognized the important role of specialized agencies in promoting the Regular Process and the assessment, and decided to launch the second cycle of the Regular Process. The assessment is not policy-prescriptive but rather reinforces the science-policy interface and establishes the basis for future assessments.

69. The first global integrated marine assessment was made available on the website of the Division in January 2016.[53] Member States, intergovernmental organizations and non-governmental organizations have been made aware of it through a number of activities, including through an online interactive tool providing an overview of the assessment and its key findings, prepared in collaboration with UNEP GRID-Arendal and launched at the United Nations Environment Assembly of UNEP Science-Policy Forum, held on 19 and 20 May 2016, in advance of the second session of the Environment Assembly.[54]

[50] See www.un.org/press/en/2016/ecosoc6787.doc.htm.
[51] Ibid.
[52] Ibid.
[53] See www.un.org/depts/los/global_reporting/WOA_RegProcess.htm.
[54] See http://web.unep.org/unea/list-resolutions-adopted-unea-2.

70. Awareness about the first global integrated marine assessment was also raised through a number of intergovernmental meetings on oceans and side events and briefings at meetings on oceans, including the second session of the United Nations Environment Assembly and the seventeenth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, held in New York from 13 to 17 June 2016.

71. Pursuant to paragraph 282 of General Assembly resolution 70/235, two informal open meetings of the Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects were held on 6 May and on 10 June 2016, providing participants with the opportunity to continue the consideration of lessons learned from the first cycle of the Regular Process to facilitate implementation of the second cycle. On the basis of the discussion and views submitted, an abstract of views on lessons learned from the first cycle of the Regular Process was prepared by the secretariat and made available on the website of the Division.[55] At the seventh meeting of the Ad Hoc Working Group of the Whole, held from 3 to 9 August 2016, recommendations and a programme of work 2017-2020 for the second cycle of the Regular Process were adopted, for the consideration of the General Assembly at its seventy-first session, pursuant to the request made by the Assembly in paragraph 283 of its resolution 70/235. Pursuant to paragraph 287 of the same resolution, the Group of Experts for the second cycle of the Regular Process was constituted.[56]

**Other assessments relevant to the Regular Process**

72. The Division compiled an inventory of the information available on recent and ongoing assessments and other processes at the regional and global levels relevant to the Regular Process.[57] The General Assembly, in paragraph 275 of its resolution 70/235, recalled the importance of ensuring that assessments support one another and avoid unnecessary duplication and the importance of taking into account assessments at the regional level. Examples of such assessments include those prepared under the Intergovernmental Panel on Climate Change, the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (see IPBES/4/19) and those carried out by UNEP, in particular the Global Environment Outlook and the Transboundary Water Assessment Programme.[58] The Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection agreed to establish a new working group on marine geoengineering[59] to carry out an assessment of approaches to marine geoengineering for their potential environmental and socioeconomic impacts on the marine environment and their potential scientific practicality and efficacy for climate mitigation. The assessment is intended to assist the parties to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London Convention) and the Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London Protocol) in determining which marine

[55] See www.un.org/Depts/los/global_reporting/7th_adhoc_2016/Abstract_on_Lessons_Learned_rev26072016.pdf.

[56] As at 9 August 2016, there were a total of 18 experts.

[57] See www.un.org/Depts/los/global_reporting/global_reporting.htm.

[58] See www.unep.org/publications.

[59] Intergovernmental Oceanographic Commission of UNESCO contribution.

geoengineering activities might be listed in annex 4 to the Protocol and consequently regulated. The Commission for Atmospheric Sciences of the World Meteorological Organization is undertaking an assessment to identify the gaps in scientific understanding on climate engineering and conduct appropriate research to address such gaps.

## D. Conservation and management of living marine resources

73. *The State of World Fisheries and Aquaculture 2016*[60] highlights the continued importance of sustainable fisheries for sustainable development, including through their provision of food and nutrition, livelihoods and important ecosystem goods and services. Fish continues to be one of the most traded commodities, with more than half of fish exports by value originating in developing countries, which underscores the important role that sustainable fisheries will need to play in achieving Sustainable Development Goal target 2.1 on ending hunger and ensuring access by all people to safe, nutritious and sufficient food, as well as other targets, including those under Goal 8 on sustainable economic growth, full and productive employment and decent work for all.

74. In the report, progress is noted with regard to measures to combat illegal, unreported and unregulated fishing and the improvement in the state of some fish stocks owing to improved fisheries management. The percentage of stocks fished at biologically unsustainable levels rose, however, to 31.4 per cent in 2013, from 28.8 per cent in 2011, following a continuing trend observed since 1974. In the first global integrated marine assessment, it was observed that the exploitation of living marine resources has exceeded sustainable levels in many regions. In some regions, various combinations of management measures, positive incentives and changes to governance have allowed historical trends to be reversed, although they persist in others. These trends highlight the urgency for authorities at all levels to take effective measures to improve the long-term sustainability of fish stocks in order to meet the relevant commitments undertaken in the 2030 Agenda for Sustainable Development, in particular those contained in Sustainable Development Goal targets 14.4 and 14.6.

75. Efforts to combat illegal, unreported and unregulated fishing have been strengthened with the entry into force, on 5 June 2016, of the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. As at 1 August 2016, 35 States and the European Union have become parties to the Agreement. The Food and Agriculture Organization of the United Nations (FAO) has continued to expand its programme to support the implementation of the Agreement, including through regional workshops and country-specific trainings.[61]

76. At its thirty-second session, held from 11 to 15 July 2016, the Committee on Fisheries of FAO expressed its support for the development of technical guidelines on methodologies and indicators to estimate the magnitude and impact of illegal, unreported and unregulated fishing and requested FAO to provide a more detailed

[60] FAO, *The State of World Fisheries and Aquaculture 2016: contributing to food security and nutrition for all* (Rome, 2016). Available from www.fao.org/3/a-i5555e.pdf.

[61] FAO contribution.

road map and guidance on adaptive management measures for decision-making in response to the impacts of climate change on fisheries resources.

**Resumed Review Conference on the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks**

77. Pursuant to General Assembly resolutions 69/109 and 70/75, the Review Conference on the Agreement was resumed from 23 to 27 May 2016 to assess the effectiveness of the Agreement in securing the conservation and management of straddling and highly migratory fish stocks by reviewing the adequacy of its provisions and, if necessary, proposing means of strengthening the substance and methods of implementation of those provisions. In its outcome, the resumed Review Conference determined that implementation of the Agreement should be further strengthened by recommendations that build on the 2006 and 2010 outcomes and also address new issues relevant to strengthening the implementation of the Agreement, such as labour conditions, and avoidance of the transfer of a disproportionate burden of conservation action to developing States (see A/CONF.210/2016/5, annex).

78. The resumed Review Conference recommended that the informal consultations of States parties to the Agreement be dedicated, on an annual basis, to the consideration of specific issues arising from the implementation of the Agreement with a view to improving understanding, sharing experiences and identifying best practices. It agreed to keep the Agreement under review through the resumption of the Review Conference at a date, not earlier than 2020, to be determined at a future round of informal consultations.

**Bottom fishing**

79. A number of actions have been taken at the global, regional and national levels to address the impacts of bottom fishing on vulnerable marine ecosystems and the long-term sustainability of deep-sea fish stocks, in accordance with relevant General Assembly resolutions.

80. Pursuant to its resolutions 69/109 and 70/75, the General Assembly will review the actions taken by States and regional fisheries management organizations and arrangements to implement paragraphs 113, 117 and 119 to 124 of resolution 64/72 and paragraphs 121, 126, 129, 130 and 132 to 134 of resolution 66/68, addressing the impacts of bottom fishing on vulnerable marine ecosystems and the long-term sustainability of deep-sea fish stocks in the context of the informal consultations of the General Assembly on the draft resolution on sustainable fisheries, in November 2016, with a view to ensuring effective implementation of the measures therein and to make further recommendations, where necessary.

81. In order to support its review, the General Assembly will have before it the report of the Secretary-General on the actions taken by States and regional fisheries management organizations and arrangements in response to paragraphs 113, 117 and 119 to 124 of General Assembly resolution 64/72 and paragraphs 121, 126, 129, 130 and 132 to 134 of General Assembly resolution 66/68 on sustainable fisheries, addressing the impacts of bottom fishing on vulnerable marine ecosystems and the long-term sustainability of deep-sea fish stocks (A/71/351), and the summary by the

moderator of the discussions of the workshop held to discuss the implementation of the above-mentioned provisions (A/71/377).

## E. Conservation and sustainable use of marine biodiversity

82. The first global integrated marine assessment highlighted that the pressures on marine biodiversity are increasing, in particular near large population centres and in areas, such as the open ocean, that have so far suffered only limited impacts. Adverse impacts on marine ecosystems and biodiversity come from the cumulative impacts of a number of human activities. Where biodiversity has been altered, the resilience of ecosystems to other impacts, including climate change, is often reduced.[62]

83. A number of initiatives to promote understanding of the impacts of major threats to marine biodiversity and the identification of ecologically or biologically significant marine areas or vulnerable marine ecosystems are ongoing, including under the Convention on Biological Diversity, FAO, regional fisheries management organizations and arrangements, the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the Convention for the Protection of the Marine Environment of the North-East Atlantic and the International Seabed Authority.

### Ecologically or biologically significant marine areas

84. A total of 204 areas described as meeting the criteria for classification as an ecologically or biologically significant marine area have been considered by the Conference of the Parties to the Convention on Biological Diversity and subsequently included in its repository of such areas.[63] During the reporting period, a regional workshop on ecologically or biologically significant marine areas was held with regard to the seas of East Asia.

### Vulnerable marine ecosystems

85. Pursuant to the relevant General Assembly resolutions on sustainable fisheries, a wide range of actions have been taken by States and regional fisheries management organizations and arrangements to address the impacts of bottom fishing on vulnerable marine ecosystems, including the identification of areas with such ecosystems (see A/71/351 and paras. 79-81 above).

86. FAO has continued to gather best practices and assist with capacity development and knowledge-sharing in various regions on the protection of vulnerable marine ecosystems, including on the use of criteria for identification and appropriate management actions, and the development of tools to support improved identification and reporting of vulnerable species groups, such as deep-water sharks, sponges and corals. FAO has also produced a number of publications on specific species in 2015-2016.[64]

87. At the regional level, initiatives to promote understanding of threats to marine biodiversity and identify areas with vulnerable marine ecosystems are ongoing. For

[62] See www.un.org/depts/los/global_reporting/WOA_RPROC/Summary.pdf.
[63] Secretariat of the Convention on Biological Diversity contribution.
[64] FAO contribution.

example, the South-East Atlantic Fisheries Organization reported that, in 2015, it had adopted a conservation measure on bottom fishing activities and vulnerable marine ecosystems in the area covered under the Convention on the Conservation and Management of Fishery Resources in the South-East Atlantic Ocean.[65]

**Specific ecosystems and species**

88. Measures continue to be adopted for the conservation of specific ecosystems and species. According to assessments undertaken in the context of the International Union for Conservation of Nature Red List of Threatened Species thus far, approximately 11 per cent of all marine species assessed have an elevated risk of extinction. As at March 2015, 7,468 marine species appear on the Red List. Those species were identified from among the more than 13,500 marine species assessed to date.[66] Regional assessments have been completed for all known fish species in the Eastern Tropical Pacific and the Mediterranean Sea.

89. With respect to cold-water areas, the Subsidiary Body on Scientific, Technical and Technological Advice of the Conference of the Parties to the Convention on Biological Diversity, at its twentieth meeting, held in Montreal, Canada, from 25 to 30 April 2016, developed a specific workplan on biodiversity and acidification in cold water areas within the jurisdictional scope of the Convention on Biological Diversity.[67]

90. In preparation for the seventeenth meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora to be held in September 2016, the Standing Committee of the Convention took a number of decisions towards strengthening the conservation of several endangered marine species through enhanced legislation, enforcement, regulatory measures, better science and innovative approaches to traceability.[68]

91. At the regional level, work is ongoing in the North-East Atlantic towards an implementation plan for the 48 recommendations of the Convention for the Protection of the Marine Environment of the North-East Atlantic to improve the status of species and habitats of concern in the maritime area under that Convention.[69]

**Marine biodiversity of areas beyond national jurisdiction**

92. The preparatory committee established pursuant to General Assembly resolution 69/292 tasked with the development of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction held its first session from 28 March to 8 April 2016. The preparatory committee considered the following matters: scope of an international legally binding instrument and its relationship with other instruments; guiding approaches and principles of an international legally binding instrument; marine genetic resources, including questions on the sharing of benefits; measures such as area-

[65] South-East Atlantic Fisheries Organization contribution.
[66] See https://sites.wp.odu.edu/GMSA/about/progress.
[67] Secretariat of the Convention on Biological Diversity contribution; see also UNEP/CBD/COP/DEC/XII/23.
[68] See https://cites.org/eng/news/pr/index.php.
[69] Convention for the Protection of the Marine Environment of the North-East Atlantic contribution.

based management tools, including marine protected areas; environmental impact assessments; capacity-building and the transfer of marine technology; and issues addressed by it to date and the Chair's proposed road map for the period up to and including the second session of the Committee.[70] The second session of the preparatory committee is scheduled to be held from 26 August to 9 September 2016 (see A/AC.287/2016/PC.2/1 and A/AC.287/2016/PC.2/2).

93. The preparatory committee is mandated to make substantive recommendations to the General Assembly on the elements of a draft text of an international legally binding instrument under the Convention, taking into account the various reports of the Co-Chairs on the work of the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction, by the end of 2017. Before the end of its seventy-second session, the General Assembly is to decide on the convening and on the starting date of an intergovernmental conference, under the auspices of the United Nations, to consider the recommendations of the preparatory committee on the elements and to elaborate the text of an international legally binding instrument under the Convention.

94. Whereas the General Assembly has reaffirmed its central role relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction, most recently in paragraph 220 of its resolution 70/235, other organizations have also continued their work on the issue.

95. At its second session, the United Nations Environment Assembly, in its resolution 2/10 on oceans and seas, encouraged the contracting parties to existing regional seas conventions to consider the possibility of increasing the regional coverage of those instruments in accordance with international law.[71]

96. In 2015, the Global Sustainable Fisheries Management and Biodiversity Conservation in Areas Beyond National Jurisdiction project on sustainable fisheries management and biodiversity conservation of deep-sea living resources in areas beyond national jurisdiction implemented by FAO in collaboration with UNEP organized its combined inception and first project steering committee meeting. FAO is also a partner to the recently approved project on deep-sea sponge grounds ecosystems of the North Atlantic.[72]

97. In 2016, the Legal and Technical Commission of the International Seabed Authority reviewed the implementation of the environmental management plan for the Clarion-Clipperton Fracture Zone (see ISBA/22/C/17). The Commission noted the creation of two additional areas of particular environmental interest suggested by the secretariat. The Commission noted the need for cross-sectoral planning, such as for areas closed to fishing on seamounts. To determine the suitability or need for amendment of the areas of particular environmental interest, the Commission decided to consider holding a scientific workshop together with marine reserve and management specialists to review the data. The Council also noted the Commission's decision to consider holding the aforementioned workshop and a

[70] The Chair's overview of the first session of the Preparatory Committee is available from www.un.org/depts/los/biodiversity/prepcom_files/PrepCom_1_Chair's_Overview.pdf.

[71] See http://web.unep.org/unea/list-resolutions-adopted-unea-2.

[72] See http://cordis.europa.eu/project/rcn/200161_en.html.

workshop on impact reference zones and preservation reference zones (see ISBA/22/C/28).

98. At the regional level, the Convention for the Protection of the Marine Environment of the North-East Atlantic and the North-East Atlantic Fisheries Commission held the second meeting under the collective arrangement on cooperation on marine protected areas in areas beyond national jurisdiction.[73]

**Marine genetic resources**

99. Research continues on marine genetic resources for the purpose of enhancing the scientific understanding, potential use and application, benefit-sharing, and enhanced management of marine ecosystems. Apart from the preparatory committee referred to in paragraph 92 above, aspects of marine genetic resources are also under consideration by other organizations. The Commission on Genetic Resources for Food and Agriculture of FAO will consider the first report on the state of the world's aquatic genetic resources for food and agriculture,[74] in 2017, and the World Intellectual Property Organization recently decided that its Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore will continue its work towards developing an international legal instrument on intellectual property and genetic resources.

100. With regard to the need for and the modalities of a global multilateral mechanism to address the fair and equitable sharing of benefits derived from their use and traditional knowledge associated with genetic resources that occur in transboundary situations or for which it is not possible to grant or obtain prior informed consent, the expert group meeting on article 10 of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their Utilization to the Convention on Biological Diversity, held in February 2016, reached a number of conclusions and developed possible next steps on the topic for consideration at the meeting of the parties to the Nagoya Protocol to be held in December 2016.[75] The first meeting of the Compliance Committee under the Nagoya Protocol, held in April 2016,[76] considered modalities of support, including through a flexible mechanism to provide advice or assistance to parties, in particular developing States parties and, where appropriate and applicable, indigenous and local communities, to address challenges relating to compliance with the provisions of the Nagoya Protocol.

## F. Pressures on the marine environment

101. The health and resilience of marine ecosystems can be negatively impacted by pollution from a number of sources and other pressures, including habitat destruction, climate change and ocean acidification. In particular, the first global integrated marine assessment noted that the current, and growing, levels of population and industrial and agricultural production result in increasing inputs of

[73] Convention for the Protection of the Marine Environment of the North-East Atlantic contribution.

[74] FAO contribution.

[75] See UNEP/CBD/ABS/A10/EM/2016/1/4. Available from www.cbd.int/doc/meetings/abs/abs-a10em-2016-01/official/abs-a10em-2016-01-04-en.pdf.

[76] See www.cbd.int/doc/?meeting=ABSCC-01.

harmful material and excess nutrients into the ocean.[77] The growing use of plastics that degrade very slowly results in increased quantities of them reaching the ocean and has many adverse effects, including socioeconomic ones.

102. Most sources of degradation currently known are addressed by a number of international instruments and organizations under the general framework of the United Nations Convention on the Law of the Sea, in particular part XII. Major developments to address pressures from land- and sea-based activities are presented below.

**Land-based activities, including marine debris**

103. In line with the increased attention and activities on the topic, the seventeenth meeting of the Informal Consultative Process focused its discussions on marine debris, plastics and microplastics (see A/71/204). The first part of the report of the Secretary-General on oceans and the law of the sea contains information on this area of focus, including with regard to the legal framework and recent developments at the global, regional and national levels (A/71/74). Various organizations have since reported on specific measures introduced,[78] scientific conferences held and reports produced on marine debris.[79]

104. Marine debris was addressed at the second session of the United Nations Environment Assembly.[80] In its resolution 2/11 on marine plastic litter and microplastics, the Environment Assembly sought to reinforce and advance collaborative efforts and capacity-building in the development of marine litter action plans and other actions to alleviate environmental pressures caused by marine plastic litter. It highlighted the need for assistance to developing countries, in particular small island developing States and least developed countries, and for cooperation with relevant stakeholders to undertake an assessment of the effectiveness of relevant international, regional and subregional governance strategies and approaches to combat marine plastic litter and microplastics, taking into consideration the relevant international, regional and subregional regulatory frameworks and identifying possible gaps and options for addressing them, including through regional cooperation and coordination.

105. Within the framework of the Global Partnership on Marine Litter, IMO and FAO released a report focused on marine litter in relation to the various waste streams under the London Convention and the London Protocol. The report was approved by the contracting parties to the Convention and the Protocol in 2015.[81]

106. FAO has been developing guidelines for the application of a system for the marking of fishing gear to address abandoned, lost or otherwise discarded fishing gear.[82]

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[77] See www.un.org/depts/los/global_reporting/WOA_RPROC/Summary.pdf.

[78] Commission for the Conservation of Antarctic Marine Living Resources contribution.

[79] FAO contribution, Intergovernmental Oceanographic Commission of UNESCO contribution and Convention for the Protection of the Marine Environment of the North-East Atlantic contribution.

[80] See http:/web.unep.org/unea/about-unea.

[81] See www.imo.org/en/OurWork/Environment/LCLP/newandemergingissues.

[82] FAO contribution.

**Disposal of wastes**

107. With regard to the disposal of radioactive wastes into the marine environment, the contracting parties to the London Convention and London Protocol adopted updated guidelines for the application of the de minimis (exempt) concept for radioactive substances which may be considered for dumping at sea.[83] The International Atomic Energy Agency continued to further develop methodologies and procedures for performing radiological assessments to determine whether material that is considered for dumping into the oceans represents negligible radiological impact to the marine environment and, consequently, can be dumped under the terms of the London Convention.

108. The impacts of waste originating from chemical munitions dumped at sea are the focus of the report of the Secretary-General on cooperative measures to assess and increase awareness of environmental effects related to waste originating from chemical munitions dumped at sea (A/71/190).

## G. Management tools

**Integrated and ecosystem approaches**

109. Innovative ways of facilitating the sharing of knowledge and developing new tools to support marine ecosystem-based management approaches are being explored.[84] The online learning platform dedicated to large marine ecosystems developed by the Intergovernmental Oceanographic Commission of UNESCO and the United Nations Development Programme will be implemented by the Commission in partnership with several organizations.[85]

110. FAO has developed or supported the development of numerous normative products under the framework for an ecosystem approach to fisheries and aquaculture to further its implementation. FAO continues to support the implementation of an ecosystem approach in a number of countries in Africa, Asia and Latin America.[86]

**Area-based management tools**

111. IMO approved, in principle, the designation of the marine area known as the Tubbataha Reefs Natural Park, located between the islands of the Philippines and northern Borneo, Malaysia, as a particularly sensitive sea area.[87] It also agreed to establish the effective dates for the application of the Baltic sea special area under annex IV to the International Convention for the Prevention of Pollution from Ships.[88]

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[83] IMO document LC 37/16, annex 9.

[84] See also FAO contribution.

[85] Intergovernmental Oceanographic Commission of UNESCO contribution.

[86] FAO contribution.

[87] IMO contribution. Marine Environment Protection Committee document 69/21, paras. 10.1-10.4 and 10.12.

[88] IMO contribution. Marine Environment Protection Committee document 69/21/Add.1, annex 10, resolution MEPC.275(69).

112. Other area-based management tools, including marine protected areas, continue to be developed in various regions.[89] As at 2015, 8.4 per cent of marine areas within 200 nautical miles were included in protected areas. The secretariat of the Convention on Biological Diversity noted that development of marine protected areas in the high seas has been limited.[90]

113. The Convention for the Protection of the Marine Environment of the North-East Atlantic has continued the development of its network of marine protected areas. In 2015, 10 marine protected areas covering more than 600 $km^2$ were added to the network under the Convention.[91] The network now comprises 423 marine protected areas covering 5.8 per cent of the maritime area under the Convention within and beyond national jurisdiction.

114. Work is ongoing with regard to marine spatial planning in various forums, including the Convention on Biological Diversity and the Intergovernmental Oceanographic Commission of UNESCO, to facilitate the implementation of marine spatial planning at the regional level.[92] In addition, pursuant to decisions XI/18 and XII/23 of the Conference of the Parties to the Convention on Biological Diversity, the secretariat of the Convention is incorporating marine spatial planning as a key thematic element of its capacity-building activities through the Sustainable Ocean Initiative.[93]

## VIII. Oceans and climate change and ocean acidification

115. The General Assembly has continued to emphasize the urgency of addressing the effects of climate change and ocean acidification on the marine environment and marine biodiversity and has recommended a number of actions, including in paragraph 178 of its resolution 70/235, in which the Assembly encouraged States to continue to enhance their scientific activity to better understand those effects and develop ways and means of adaptation.

116. In the 2030 Agenda for Sustainable Development, it was acknowledged that increases in global temperature, sea level rise, ocean acidification and other climate change impacts are seriously affecting coastal areas and low-lying coastal countries, including many least developed countries and small island developing States, and threatening the survival of many societies. In particular, Sustainable Development Goal target 13.b urges States to take prompt action to combat climate change and its impacts, and calls for the promotion of mechanisms for raising capacity for effective climate change-related planning and management in least developed countries and small island developing States. In addition, target 14.3 calls for minimizing and addressing the impacts of ocean acidification, including through enhanced scientific cooperation at all levels.

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[89] See also Commission for the Conservation of Antarctic Marine Living Resources and IMO contributions.

[90] Secretariat of the Convention on Biological Diversity contribution.

[91] Convention for the Protection of the Marine Environment of the North-East Atlantic contribution.

[92] Secretariat of the Convention on Biological Diversity contribution and Intergovernmental Oceanographic Commission of UNESCO contribution.

[93] See decisions of the eleventh meeting of the Conference of the Parties to the Convention on Biological Diversity. Available from www.cbd.int/decisions/cop/?m=cop-11.

117. In the first global integrated marine assessment (see sect. VII.C), it was highlighted that climate change and related changes in the atmosphere have serious implications for the ocean, including rising sea levels, higher levels of acidity in the ocean, reduced mixing of ocean water and increased deoxygenation. Whereas the basic mechanisms of change are understood, the ability to predict the detailed changes is limited. It is noteworthy in that regard that, in April 2016, the Intergovernmental Panel on Climate Change decided to prepare a special report on climate change and oceans and the cryosphere.[94]

118. During the reporting period, the twenty-first session of the Conference of the Parties to the United Nations Framework Convention on Climate Change adopted the Paris Agreement on 12 December 2015. The Agreement was opened for signature on 22 April 2016. As at 23 August 2016, 180 States have signed the Paris Agreement, of which 23 have also deposited their instruments of ratification, acceptance or approval. The landmark Agreement aims at strengthening the global response to the threat of climate change.

119. The preamble of the Paris Agreement includes language noting the importance of ensuring the integrity of all ecosystems, including oceans. In addition, parties to the Agreement are invited to take action to conserve and enhance, as appropriate, sinks and reservoirs of greenhouse gases as referred to in article 4, paragraph 1 (d), of the United Nations Framework Convention on Climate Change, which lists among them oceans and other coastal and marine ecosystems.

120. Some States and civil society actors have recognized the need to further develop and apply adaptation and mitigation measures and strategies focusing on the oceans,[95] including through the promotion of an action plan on oceans under the United Nations Framework Convention on Climate Change.[96]

121. UN-Oceans (see sect. X) also assisted in raising awareness of the important role of oceans in regulating the climate and the impacts of climate change and ocean acidification on the marine environment through a number of joint statements and presentations delivered at events, such as the forty-second meeting of the Subsidiary Body for Scientific and Technical Advice of the Conference of the Parties to the United Nations Framework Convention on Climate Change in 2015 and at a side event held on the margins of the twenty-first session of the Conference of the Parties to the Convention, entitled "One ocean, one climate, one United Nations: working together for a healthy and resilient ocean".

122. Bearing in mind the momentum gained on issues relating to climate change, the United Nations system is engaged in numerous activities relating to oceans and climate change, as well as ocean acidification, as described in the contributions available on the website of the Division. Such activities include the establishment of a new Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection working group on marine geoengineering (see para. 72 above) led by IMO with the support of the Intergovernmental Oceanographic Commission of UNESCO and the World Meteorological Organization.

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[94] See Intergovernmental Panel on Climate Change decision IPCC/XLIII-6.

[95] Recommendations from the outcome of Oceans Day, held at the twenty-first session of the Conference of the Parties to the United Nations Framework Convention on Climate Change.

[96] See the declaration entitled "Because the ocean". Available from http://www.iddri.org/Themes/Oceans-et-zones-cotieres/Because-the-Ocean-Declaration-sur-le-Climat-et-les-Oceans.

# IX. Building the capacity of States to implement the legal regime for the oceans and seas

123. Many capacity-building initiatives were undertaken by intergovernmental organizations during the reporting period. Activities included a number of workshops, meetings and publications. Many were undertaken through partnerships, including with civil society, and all had the overall objective of assisting developing States in sustainably managing their ocean-based activities, including through the implementation of the Convention and related agreements. Details of such initiatives are provided in the contributions available on the website of the Division.

124. The Division continues to provide Member States with demand-driven capacity-building opportunities in ocean affairs and the law of the sea, in particular with respect to the effective implementation of the Convention and related agreements. Through its participation in various conferences, meetings, workshops and training events, the Division also continues to provide information, advice and assistance to States, intergovernmental organizations and others, thereby promoting a better understanding of the Convention and related agreements and wider acceptance, uniform and consistent application and the effective implementation of that regime.[97]

125. Capacity-building programmes offered by the Division during the reporting period included awarding three fellowships and conducting one thematic training programme. The Division continued to work bilaterally with Somalia through a project funded by the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia. The Division further continued to administer nine voluntary trust funds, the mandates of which include assistance to States in their participation in United Nations ocean-related processes and in the implementation of the Convention and related agreements.

### Fellowships

126. Through the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea, 30 individuals from 26 Member States have been trained since 1986. No Fellowship was awarded in 2016 owing to the lack of funds. Given the importance of the Fellowship, appeals have been made for voluntary contributions to the Trust Fund.

127. Since 2004, 120 individuals from 70 Member States have been trained through the United Nations-Nippon Foundation Fellowship Programme. Currently, 10 individuals are undertaking their fellowships and 10 new awards will be made in October 2016 for the 2017 cycle. Under the alumni programme of the Fellowship Programme, two meetings were held in October 2015, a regional meeting on oceans and climate change, in Mexico, and a meeting on technical aspects of the law of the sea, in Monaco, in conjunction with the meeting of the Advisory Board on the Law of the Sea of the International Hydrographic Organization.

### Special strategic fellowships

128. Through a special strategic fellowship, offered within the framework of the United Nations-Nippon Foundation Fellowship Programme, a customized four-

[97] A list of activities is available on the website of the Division at www.un.org/depts/los/.

month fellowship, for the period from April to July 2016, was provided to a government official of Timor-Leste. With funding provided by the United Nations Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia, two additional special strategic fellowship awards were made to individuals nominated by Government of Somalia. Those fellowships provided a tailored curriculum focused on aspects of ocean affairs and the law of the sea of contemporary strategic significance to the States concerned.

**Assistance to Somalia**

129. The Division continues to implement its activities under the project on building the knowledge and capacity of Somali legislators and technical officials regarding the rights and duties in the maritime zones set out in the Convention and with funding from the United Nations Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia. The Division is at an advanced stage in the preparation of a gap analysis of the Somali legislative and policy framework for oceans, and it is scheduled to be completed in the fourth quarter of 2016. A second round of briefings for Somali parliamentarians is planned to be held in Mogadishu, at a date to be confirmed by the Government of Somalia. The briefings aim at raising the parliamentarians' awareness of the legal framework under the Convention. Two special strategic fellowships were awarded to nationals of Somalia under the project (see para. 128).

**Marine scientific research training course**

130. Following its launch during the Third International Conference on small island developing States, in 2015, the Division and the Korea Maritime Institute, in cooperation with the Intergovernmental Oceanographic Commission of UNESCO, implemented the programme on promoting and facilitating the conduct of marine scientific research under the Convention with the aim of assisting developing countries, especially small island developing States, in building their capacities in the field of marine scientific research. The first course was developed for the Pacific small island developing States, in collaboration with the secretariat of the Pacific Community, and delivered in Busan, Republic of Korea, in December 2015. A second presentation of the course is currently being planned for the Caribbean small island developing States.

**Trust funds**

131. The purpose of the Assistance Fund under Part VII of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks is to provide financial assistance to developing States parties to the Agreement in order to assist them in the implementation of the Agreement. The Assistance Fund is administered by the Division jointly with FAO. As at August 2016, applications to the Assistance Fund can no longer be accepted because it has been depleted. Without additional contributions, assistance will not be available to assist developing States in implementing the Agreement.

132. In recent years, the demand on the trust funds administered by the Division has increased, while the number and size of contributions have decreased

significantly. Information on the status of the trust funds is available on the website of the Division. There is thus an acute need for increased contributions to ensure that the trust funds can continue fulfilling their mandates. In particular, the Voluntary Trust Fund for the purpose of defraying the cost of participation of the members of the Commission on the Limits of Continental Shelf from developing States in the meetings of the Commission is near depletion and has no funds for 2017. Without additional contributions, members of the Commission from developing States may not be able to attend future sessions. The work of the Commission would thus be affected, given that it might not have the quorum required for its sessions.

133. The Voluntary Trust Fund for the purpose of assisting developing countries, in particular least developed countries, small island developing States and landlocked developing countries, in attending meetings of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea and the Voluntary Trust Fund for the Regular Process are also nearing depletion and will not be viable after 2017 without additional contributions.

134. The newly established trust fund pursuant to General Assembly resolution 69/292 for the purpose of assisting developing countries, in particular the least developed countries, landlocked developing countries and small island developing States, in attending the meetings of the preparatory committee and intergovernmental conference on the development of an international legally binding instrument under the Convention on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction received its first three contributions in August 2016. Although received too late to allow the secretariat to process applications for assistance in time for the second session of the preparatory committee, held from 26 August to 9 September 2016, assistance will be available for the third session, in 2017, and, as funds allow, the meetings thereafter.

## X. Strengthening international cooperation and coordination

135. The General Assembly continues to underline that international cooperation and coordination are a fundamental underpinning of the achievement of the objectives of the Convention, bearing in mind that the problems of ocean space are closely interrelated and need to be considered as a whole through an integrated, interdisciplinary and intersectoral approach.

136. International cooperation is also a fundamental underpinning of the achievement of the goals and other commitments made by States towards the sustainable development of the oceans. Similarly, inter-agency cooperation within the United Nations system is at the cornerstone of international cooperation. Through the launching of the report of the Secretary-General on critical milestones towards coherent, efficient and inclusive follow-up and review at the global level (A/70/684), the Organization has already taken important steps to ensuring that the support by the United Nations system to the implementation of the 2030 Agenda for Sustainable Development is provided in a united and coordinated manner.

137. The online inventory of mandates and activities approved by the respective governing bodies of organizations participating in UN-Oceans can provide a

valuable tool in identifying possible areas for collaboration and synergy.[98] UN-Oceans, the inter-agency coordination mechanism on oceans and coastal issues within the United Nations system, and the International Seabed Authority launched the inventory at the seventeenth meeting of the Informal Consultative Process, in June 2016.

138. Also at that meeting, UN-Oceans presented its biennial work programme for 2016-2017,[99] which reflects its commitment to assist States in the implementation of the 2030 Agenda for Sustainable Development, the SAMOA Pathway and the Paris Agreement. Regarding Sustainable Development Goal 14, following their joint identification and submission of the indicator for target 14.c, members of UN-Oceans committed to supporting the preparation of metadata for that indicator and the related data collection. UN-Oceans will contribute to the follow-up and review processes of the high-level political forum on sustainable development and provide inputs, as mandated, to assist States in the implementation of the 2030 Agenda.

## XI. Conclusions

139. Oceans are at the forefront of the attention of the international community, in particular as result of an increasing recognition of their economic and ecosystem value and critical role in addressing many of the current global challenges, including climate change and food security. Although the potential of the oceans for economic and social development is substantial, the alarming progress of ocean degradation, in particular through pollution, especially from land-based sources, and through overexploitation of living marine resources, as highlighted in the first global integrated marine assessment, can be a major constraint to such development. Moreover, the pressures on the oceans are further compounded by the impacts of climate change on the oceans and ocean acidification, which are also becoming more and more evident. The assessment's finding that the carrying capacities of the oceans is near or at their limits, underscores the need for urgent action to effectively address the many pressures facing the oceans.

140. In addition, action is required to address the gaps in knowledge and capacity identified in the assessment, which can also hinder the responses to challenges that may arise in the context of the implementation of the Convention and the 2030 Agenda for Sustainable Development. There is a clear need for greater international cooperation in marine scientific research, transfer of marine technology and capacity-building.

141. Scientific and technological advances will also be crucial for the development of a sustainable ocean-based economy, including the further development of renewable energy from the oceans, which can help reduce our carbon footprint and thus support the achievement of the commitments in the Paris Agreement.

142. Benefits from the oceans and seas and the development of an effective ocean-based economy cannot be realized without integrating the three pillars of sustainable development. Full and effective implementation of the Convention, as

[98] See www.unoceans.org/inventory/en.

[99] See www.unoceans.org/fileadmin/user_upload/unoceans/docs/UN-Oceans_statement_to_ICP17_biennial_Work_Programme_2016_2017.pdf.

complemented by its implementing agreements and other related instruments, can substantially support such integration and assist the international community in achieving sustained and inclusive economic growth, social development and environmental protection. The 2030 Agenda for Sustainable Development can provide an impetus in that regard, not only through Sustainable Development Goal target 14.c, but also owing to the timeframes specified under other targets by which progress must be achieved in addressing a number of key pressures on the marine environment. Periodic review of progress achieved and the identification of additional required measures will also be important. Notwithstanding the central role of the high-level political forum on sustainable development, the Informal Consultative Process is well placed to assist the General Assembly in its annual comprehensive and integrated review of developments relating to ocean affairs and the law of the sea by focussing its attention on the review of the implementation of Sustainable Development Goals 14 and other ocean-related Goals.

143. Sustainable development of oceans and seas is not only the responsibility of States, but rather a shared responsibility of all relevant stakeholders. In order to meet the substantial capacity needs of developing States, in particular least developed countries and small island developing States, more attention will need to be given to enhancing partnerships among stakeholders and increasing the flow of resources. The high-level United Nations Conference to Support the Implementation of Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development, to be held at United Nations Headquarters in June 2017, will present an important opportunity to engage with stakeholders. The Conference is expected to adopt by consensus a concise, focused, intergovernmentally agreed upon declaration in the form of a call for action to support the implementation of Goal 14 and a report containing the Co-Chairs' summaries of the partnership dialogues, as well as a list of voluntary commitments for the implementation of Goal 14.

144. It will be important to ensure that no one is left behind and that people are indeed at the centre of development. No worker should be expected to go to sea without the guarantee of decent working conditions. The commitment made in the 2030 Agenda for Sustainable Development to ensure full respect of human rights and the humane treatment of migrants, regardless of migration status, and of refugees is also applicable at sea. The dramatic increase in large-scale, unsafe movements of people by sea necessitates urgent action to prevent loss of life, including by upholding the integrity of the search and rescue regime, ensuring the delivery of persons rescued at sea to a place of safety and sharing the responsibility of disembarking rescued persons.

145. The implementation of the challenging goals that Member States have set for oceans will not be possible without enhanced international cooperation and ensuring that oceans and seas remain reserved for peaceful purposes and that they continue to be governed by a stable comprehensive legal framework as enshrined in the Convention and related agreements. The General Assembly is well aware of the importance of this instrument and of the need to preserve its integrity. More needs to be done to further foster a better understanding of those instruments, including the interplay between their legal, economic, scientific and technical aspects.

146. The launch of the preparatory committee established pursuant to General Assembly resolution 69/292, the approval of the summary of the first global

integrated marine assessment, the launch of the second cycle of the Regular Process, the vast range of topical sustainable development issues considered by the Informal Consultative Process and the direct review by the General Assembly of the actions taken by States and regional fisheries management organizations and arrangements to implement the relevant paragraphs of its resolutions 64/72 and 66/68, addressing the impacts of bottom fishing on vulnerable marine ecosystems and the long-term sustainability of deep-sea fish stocks, have demonstrated the critical role of the General Assembly in undertaking an annual comprehensive review of developments in ocean affairs and the law of the sea and sustainable fisheries, assessing the interrelationship and ever-increasing complexity of ocean-related issues and providing guidance for effective action by States and other stakeholders.

147. The Secretariat, together with other agencies, programmes and bodies of the United Nations system within the framework of UN-Oceans, will continue to do its utmost to assist Member States and States parties to the Convention in the achievement of their aspirations.